

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

**Petition Pursuant to 47 U.S.C. § 160 for
Forbearance from the Commercial Mobile Radio
Services Number Portability Obligation**

WT Docket No. 01-184

**REPLY COMMENTS OF THE
ASSOCIATION OF COMMUNICATIONS ENTERPRISES**

The Association of Communications Enterprises ("ASCENT"), through undersigned counsel and pursuant to *Public Notice*, DA 01-1872 (released August 7, 2001), hereby replies to the multiple comments addressing the "Petition Pursuant to 47 U.S.C. § 160 for Partial Forbearance from the Commercial Mobile Radio Services Number Portability Obligation" ("Petition") filed by Verizon Wireless ("Verizon") in the captioned proceeding on July 26, 2001. The Verizon Petition found support only among the facilities-based commercial mobile radio service ("CMRS") providers currently subject to the Commission's wireless service provider local number portability ("WSP-LNP") mandate.¹ Opposing the Verizon Petition were a large number of state regulatory bodies,²

¹ Cingular Wireless LLC ("Cingular"), AT&T Wireless Services, Inc. ("AT&T"), Sprint Spectrum L.P. ("Sprint"), VoiceStream Wireless Corporation ("VoiceStream"), United States Cellular Corporation (U.S. Cellular"), the Cellular Telecommunications & Internet Association ("CTIA"), ALLTEL Communications, Inc. ("ALLTEL"), Dobson Communications Corporation ("Dobson"), and Rural Cellular Association ("RCA").

² State Coordination Group (comprised of staff members involved with number conservation issues at State Commissions in California, Illinois Commerce Commission, Indiana, Maine, Maryland, Nebraska, Ohio, Tennessee, and Texas), the National Association of Regulatory Utilities Commission ("NARUC"), the Connecticut Department of Public Utility Control ("Connecticut"), the Michigan Public Service Commission ("Michigan"), the New Hampshire Public Utility Commission ("New Hampshire"), the New York Department of Public Service ("New York"), the Public Utilities Commission of Ohio ("Ohio"), and the Public Utilities Commission of Texas ("Texas").

as well as non-facilities-based wireless service providers,³ and individual consumers and state consumer advocates.⁴

On one level, the positions espoused by the various commenters were as one might have anticipated. Individuals and entities seeking to foster increased competition, facilitate greater consumer choice, promote number conservation, and enhance overall customer service, all vigorously opposed the Verizon Petition. Supporting the Verizon Petition were the facilities-based CMRS providers which will be required to fund and implement WSPLNP and which face the potential for increased customer defections with the elimination of the last major deterrent to wireless carrier changes. On another level, however, the vigorous opposition of the facilities-based CMRS providers is surprising, given that, with the exception of Verizon and Cingular, CMRS providers would be one of the main beneficiaries of WSPLNP, given that WSPLNP would greatly enhance their ability to replace wireline local exchange carriers (“LECs”) as the principal provider of telecommunications service for existing and future customers.

The world of telecommunications can no longer be viewed as a sharply segmented service environment. Afforded the opportunity to do so by the Telecommunications Act of 1996, landline interexchange carriers (“IXCs”) have entered and secured a toehold in the wireline local exchange market. With in-region, interLATA authority being secured in an increasing number of states by Bell Operating Companies (“BOCs”), major wireline LECs are entering the wireline interexchange market. The convergence of the wireline interexchange and local exchange markets being well under way, the next, and increasingly important, piece of the competitive telecommunications puzzle is the integration of wireless and wireline services which will be

³ ASCENT and WorldCom, Inc. (“WorldCom”).

⁴ The Maine Public Advocate’s Office and the Maryland Office of Peoples’ Counsel endorsed the State Coordination Group Comments. A number of individual consumers submitted comments opposing Verizon’s efforts to deny the public the benefits of wireless service provider local number portability.

achieved only when wireline and wireless services are fully substitutable.

Service provider number portability, as ASCENT pointed out in its Opposition to the Verizon Petition, has been a critical tool used by the Commission to foster first wireline interexchange competition and then wireline local exchange competition. The portability of toll free numbers spurred wireline interexchange competition by “allowing current 800 subscribers to switch IXC’s without abandoning their 800 numbers.”⁵ Given the increasing importance of toll free service to business users in the late 1980s, 800 number portability was essential to allow competitive providers to launch a meaningful challenge to AT&T, then the dominant carrier in the market. Congress recognized the essential role wireline local number portability would play in opening the wireline local exchange market to competition. As the Commission declared in this context, “[n]umber portability promotes competition between telecommunications service providers by, among other things, allowing customers to respond to price and service changes without changing their telephone numbers.”⁶ WSPLNP is the next obvious step, necessary to extend the full benefits of competition to consumers by allowing them to flexibly select among wireline and wireless service providers as their principal carrier of choice without having to change telephone numbers.

That Verizon and Cingular oppose extending such flexibility to consumers is understandable. Just as Verizon’s wireline local exchange carrier affiliates and the wireline local exchange carrier affiliates of both BellSouth Corporation (“BellSouth”) and SBC Communications Inc. (“SBC”) have sought to hinder the emergence of local exchange/exchange access competition by wireline competitive LECs in order to preserve their respective market positions, Verizon and Cingular have little incentive to facilitate competition with their wireline affiliates local exchange

⁵ Provision of Access for 800 Service (Report and Order), 4 FCC Rcd. 2824, ¶ 2 (1989) (*subsequent history omitted*).

⁶ Telephone Number Portability (First Report and Order), 11 FCC Rcd. 8352, ¶ 30 (1996) (*subsequent history omitted*).

service offerings by the likes of AT&T Wireless, Sprint, and VoiceStream. Less obvious is why other facilities-based CMRS providers, particularly the larger other facilities-based CMRS providers, oppose a mechanism that would allow them to compete directly with wireline LECs to become consumers' principal telecommunications service providers.

The simple answer is that the wireless industry has developed into a comfortable oligopoly. As the Commission has noted, “[i]n the United States, there are six nationwide mobile telephone operators: AT&T Wireless, Sprint PCS, Verizon Wireless, VoiceStream Wireless Corp. . . . Cingular Wireless, and Nextel.”⁷ These six providers (including their various affiliations) account for over 85 percent of subscribers nationwide.⁸ The four largest of these carriers (including their various affiliations) alone account for roughly 75 percent of subscribers nationwide.⁹ As a result of a wave of consolidations, this latter market share roughly tripled since the end of 1999.

⁷ Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, Annual Report and Analysis of Competitive Market Conditions with Respect to Commercial Mobile Service (Sixth Report), FCC 01-192, p. 13 (July 17, 2001).

⁸ Id. at Appx. C, p. C-4.

⁹ Id.

Equally telling in this respect, the industry has experienced consistent, often dramatic, growth since its inception, with the number of subscribers and revenues doubling over the last three years, having already doubled over the preceding three years.¹⁰ And if this were not enough, monthly revenues per subscriber have been increasing over the last two years, increasing by roughly ten percent in the last year alone.¹¹ In short, the number of competitors is now manageable and everyone is successful.

Competitors in markets populated by a few dominant providers, all of which are growing and making money, do not like to rock the boat. Yes, for the major facilities-based CMRS providers, other than potentially Verizon and Cingular, WSPLNP represents an opportunity to garner increase revenues from existing subscribers who substitute their wireless phone for their wireline telephone. It also, however, raises the specter of increased churn within the wireless industry by “giv[ing] customers flexibility in the quality, price and variety of telecommunications services they can chose to purchase.”¹² Affording customers greater flexibility to change carriers also necessitates greater emphasis on customer service, increases the prospects for further price reductions, and requires continued service innovation. As a result, WSPLNP poses a threat to the current cozy oligopoly that characterizes the wireless market, rendering far less attractive the increased revenue potential it also offers.

¹⁰ Id. at Appx. C, p. C-2.

¹¹ Id.

¹² Telephone Number Portability (First Report and Order), 11 FCC Rcd. 8352 at ¶ 30. As reported by ASCENT in its Opposition to the Verizon Petition, the “churn” rate in Hong Kong increased dramatically in a WSPLNP environment, ranging upward to 55 per cent annually. Feasibility Study and Cost Benefit Analysis of Number Portability for Mobile Services in Hong Kong conducted by National Economic Research Associates for the Hong Kong Office of Telecommunications Authority at Appendix A, pp. 115 (May 1998) (available at <http://www.ofta.gov.hk/report-paper-guide/report/mnp-fin.pdf>).

The Commission is charged with promoting the public interest, convenience and necessity, not with enhancing the private interests of carriers. Over the last two decades, the Commission, as well as the Congress, has repeatedly concluded that the public interest, convenience and necessity is best served by promoting competition. The Telecommunications Act of 1996 embodied “a pro-competitive, national policy framework,” designed to “open[] all telecommunications markets to competition.”¹³ The Commission has heretofore been diligent in introducing competition into the interexchange, international, local exchange and wireless markets, in each instance concluding that the public interest would be well served by fostering the competitive provision of service.

Competition is promoted by removing barriers to market entry and enhancing consumer flexibility to select among multiple providers. Number portability allows consumers to flexibly select among service providers on the basis of price, service quality, customer service and service options. WSPLNP also removes one of the largest remaining barriers to wireline/wireless competition. It is because number portability is such a powerful competitive tool that in all other instances in which it has been proposed it has been supported as vigorously by competitive providers, as it has been opposed by incumbent providers. Thus, in the 800 number context, AT&T resisted number portability while all other IXC's argued for it, and in the local exchange arena, incumbent LEC's dragged their feet, while competitive LEC's pushed hard for number portability. The wireless sector, accordingly, is unique, with all of the facilities-based CMRS providers, both large and small, national and regional, incumbent LEC affiliated and non-incumbent LEC affiliated, opposing WSPLNP.

As is apparent, the facilities-based CMRS providers' unanimous opposition to WSPLNP belies their claim that the wireless market is competitive enough. It is not true now, and

¹³ S. Conf. Rep. No. 104-230, 104th Cong., 2d Sess. 1 (1996).

as the wave of consolidation continues through the turbulent times facing the telecommunications industry, it will be less true by the WSPLNP implementation date. Providers in a truly competitive market, particularly those with smaller market shares such as Sprint, Nextel and VoiceStream, should seize upon and quickly exploit all available competitive tools; competitors in a truly competitive market do not shun means by which to enhance their market position.

Likewise, with the possible exception of Verizon and Cingular, all of the facilities-based CMRS providers should embrace a tool which will allow them to draw customers and revenues away from wireline LECs. That the facilities-based CMRS providers have had to resort to touting a three percent effective penetration by wireless carriers into the wireline local exchange market as evidence of wireline/wireless competition confirms their lack of desire to compete directly with wireline LECs. As ASCENT pointed out in its Opposition to the Verizon Petition, one of the principals in Cingular represented that back in 1998, when wireless rates were significantly higher than they are today, up to 15 percent of wireline LEC customers were ripe for the taking,¹⁴ with the principal impediment to their migration being, as recognized by the Commission, “the fact that wireline telephone numbers . . . [were] not presently portable to wireless carriers.”¹⁵

¹⁴ Application of Bell South Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in Louisiana (Memorandum Opinion and Order), 13 FCC Rcd. 20599, ¶ 40 (1998) (*subsequent history omitted*).

¹⁵ Id. at ¶ 32.

The private interests of facilities-based CMRS providers should not be given precedence over the public interest in promoting competition in not only the wireless market, but the local exchange market. While wireline competitive LECs have secured a toehold in the wireline local exchange market, it is becoming increasingly clear that incumbent LECs will continue to dominate this market segment absent competition from an additional source. As the Commission has long recognized, wireless providers represent a strong source of potential competition. Indeed, the Commission noted more than five years ago that “[t]he development of CMRS is one of several potential sources of competition . . . identified to bring market forces to bear on the existing LECs,” recognizing that someday “CMRS providers, such as broadband PCS and cellular, will compete in the local exchange marketplace.”¹⁶ Accordingly, the Commission continues to promote initiatives designed to “promote the ability of service providers using wireless technology to compete with the incumbent LECs,”¹⁷ one of which obviously is WSPLNP, which the Commission has recognized will become an “increasingly important factor in consumer choice” as consumers more and more “view their wireless phones as a potential substitute for their wireline phones.”¹⁸

As the Commission has acknowledged and the unanimous support afforded the Verizon Petition by facilities-based CMRS providers confirms, WSPLNP will not be implemented absent a regulatory mandate:

We also reject the view espoused by some commenters that if consumer demand for wireless number portability develops, market forces alone are sufficient to ensure its development and widespread

¹⁶ Telephone Number Portability (First Report and Order), 11 FCC Rcd. 8352 at ¶ 160.

¹⁷ Promotion of Competitive Networks in Local Telecommunications Markets (Notice of Proposed Rulemaking and Notice of Inquiry), 14 FCC Rcd. 12673, ¶10 (1999) (*subsequent history omitted*).

¹⁸ Cellular Telecommunications Industry Association’s Petition for Forbearance from Commercial Mobile Radio Services Number Portability Obligations (Memorandum Opinion and Order), 14 FCC Rcd.3092, ¶ 23 (1999) (*subsequent history omitted*).

implementation. We remain unconvinced that market forces will provide sufficient incentives for widespread implementation. In order for a wireless customer to switch wireless carriers while retaining its phone number, both carriers must have implemented LNP. If certain carriers conclude that they will sustain a net loss in customers overall under a LNP scenerio, they will have little, if any, incentive to implement LNP in the absence of a requirement.¹⁹

¹⁹

Id. at ¶ 41.

Moreover, as the Commission has recognized, and the unanimous opposition to WSPLNP again confirms, the competitive benefits of WSPLNP, particularly those inherent in the substitutability of wireless for wireline service, cannot be attained in any other manner – a prerequisite to grant of the forbearance sought by the Verizon Petition.²⁰

As ASCENT stressed in its Opposition to the Verizon Petition, the burden Verizon and the other facilities-based CMRS providers face is exceedingly high in seeking relief from a pro-competitive, consumer-oriented obligation such as WSPLNP. Grant of the requested relief would constitute an acknowledgement by the Commission that wireless/wireline competition is simply not that important, that competition in the wireless market is sufficient, and that the consumer benefits that drove the implementation of number portability in the wireline interexchange and local exchange markets need not be secured for wireless customers. Grant of the requested relief would represent a departure from not only multiple orders declaring WPSLNP to be in the public interest, but previous orders making comparable findings with regard to number portability in the wireline interexchange and local exchange markets. In short, as ASCENT previously stressed, Verizon and the other facilities-based CMRS providers would need to demonstrate a compelling countervailing detriment to justify the requested forbearance.

In an effort to carry this burden, Verizon and the other facilities-based CMRS providers argue that the costs of WSPLNP are prohibitive and trot out the tried-and-true contention that requiring timely implementation of WSPLNP would jeopardize network integrity and security. The cost issue can be readily addressed. As a preliminary matter, the costs exclusively associated with WSPLNP -- *i.e.*, not also required to implement pooling -- are, as described by Cingular, non-network related:

²⁰ Petition of Ameritech Corporation for Forbearance from Enforcement of Section 275(a) of the Communications Act of 1934, as Amended (Memorandum Opinion and Order), 15 FCC Rcd. 7066, ¶ 7 (1999) (*subsequent history omitted*).

The majority of this expense will be staffing of the porting center and technical support to service individual port requests which require manual intervention and troubleshooting. In addition, the process of porting will entail additional ongoing expenses. In particular, CMRS carriers will have to pay hundreds of millions of dollars to NeuStar in transaction charges over that same five years, at over \$2.00 per port. There will also be considerable costs involved in training and equipping resellers and retail point-of-sale representatives to deal with a more complex activation procedure. . . . Additionally, a very complex and flexible intercarrier communications system is required to implement porting.²¹

Cingular thus confirms Verizon's original assessment that the "additional tasks required to implement LNP that are not required to implement number pooling" involve such non-network expenses as (i) "develop[ing] and add[ing], at considerable expense, new functionality to all point of sale ("POS") systems," (ii) [t]raining of sales and customer service personnel to deal with the incredibly complex issues that will arise with LNP," (iii) "extensively revis[ing]" "[m]ultiple systems relating to number inventory, rating of calls, [and] taxation," and (iv) "additional personnel, hardware and software upgrades" to facilitate "[c]ommunications with NPAC and other carriers."²² And while Sprint endeavors to suggest a far greater degree of network modification, in the end it highlights principally modifications to provisioning and billing systems, and external communications systems involving carrier-to-carrier and carrier to Number Portability Administration Centers.²³

²¹ Cingular Comments at 16.

²² Verizon Petition at 12 - 13.

²³ Sprint Reply Comments at Huber Affidavit, pp. 9 - 16.

The point of the above is twofold. First, it confirms that the Commission's original assessment that the vast bulk of the network modifications required to implement number pooling were also required to implement WSPLNP, and that the overwhelming majority of the network modification costs necessary to implement WSPLNP will be spent in implementing number pooling. Second the costs uniquely associated with implementation of WSPLNP – *i.e.*, staffing, training, modifying provisioning and billing systems, etc. – are among the most nebulous, and hence easiest to manipulate, expenditures. But let's take the two carriers that bothered to try to quantify costs – Sprint and Cingular – at their word and assume that their cost estimates are not inflated. Cingular declares that WSPLNP will cost it “\$250,000,000 over the first five years, beyond the cost of pooling,” or roughly \$50,000,000 a year.²⁴ Sprint foresees WSPLNP-unique implementation costs of \$35,809,000 and WSPLNP-unique annual costs of \$52,714,000.²⁵ The exaggeration potential is manifest in Sprint's annual cost estimate which is comparable to Cingular's even though it has roughly a third of Cingular's customers.

²⁴ Cingular Comments at 15 - 16.

²⁵ Sprint Reply Comments at 3.

Even if we credit Cingular's and Sprint's estimates, however, the numbers when placed in perspective are hardly daunting. The cumulative wireless capital investment was roughly \$90 billion as of the end of last year, with total annual revenues over \$50 billion last year.²⁶ Cingular would spread its claimed \$50,000,000 annual WSPLNP costs over a subscriber base of roughly 30 million subscribers, resulting in a per-subscriber monthly assessment of 10 to 20 cents.²⁷ Even if Sprint's seemingly inflated estimates were accepted, the \$52,714,000 annual WSPLNP costs would be spread over a customer base of 13 million,²⁸ producing a per-subscriber monthly assessment of 30 to 40 cents.²⁹ And if Sprint's one time WSPLNP implementation cost of \$35,809,000, amortized over five years, were spread across its 13 million subscribers, it would produce an additional monthly levy of roughly five cents. And these *de minimis* amounts must be compared with average per-subscriber monthly revenues in excess of \$45 and per-subscriber acquisition costs in the hundreds of dollars.³⁰

²⁶ Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, Annual Report and Analysis of Competitive Market Conditions with Respect to Commercial Mobile Service (Sixth Report), FCC 01-192 at Appx. C, p. C-2.

²⁷ Id. at Appx. C, p. C-4.

²⁸ Sprint Reply Comments at Huber Affidavit, p. 3.

²⁹ Id. at p. 4.

³⁰ Comments of VoiceStream and U.S. Cellular at 8.

Sprint remarkably complains that “LNP will [not] generate any new revenues for Sprint PCS,” and then threatens to increase prices or reduce services if forced to implement WSPLNP.³¹ First, WSPLNP holds out tremendous revenue generation potential for the CMRS provider that either wins new customers from its wireless competitors or generates new revenues from existing customers that opt to replace their wireline telephone with their wireless phone. Second, number portability surcharges have become accepted in the wireline local exchange market segment;³² such surcharges could also be used to recover costs associated with WSPLNP, particularly since, as noted above, the per-subscriber monthly assessments would be so small.³³ And in this respect, the Commission may wish to bear in mind the assured claims of the auto industry that consumers would never be willing to pay a cent more for airbags.

ASCENT is not in a position to directly refute claims that timely implementation of WSPLNP might jeopardize network security or integrity. ASCENT can only remind the Commission that from the early days when AT&T swore to the Commission that “Hush-A-Phone” -- a simple device attachable to a telephone handset which allowed the user to speak without being overheard by others in the room -- would compromise network integrity, facilities-based carriers have fretted over network integrity/security every time they have not wanted to do something regulators or competitors have asked them to do. Of late, the Commission has been reluctant to credit such “Chicken Little” objections, repeatedly rejecting claims that the local exchange network

³¹ Sprint Reply Comments at 4.

³² Telephone Number Portability (Third Report and Order), 13 FCC Rcd. 11701, ¶ 135 (1998) (*subsequent history* omitted) (“We will allow, but not require incumbent LECs subject to rate-of-return or price-cap regulation to recover their carrier-specific costs directly related to providing number portability through a federal charge assessed on end-users.”).

³³ Id. at ¶ 136 (CMRS providers . . . may recover their carrier-specific cost directly related to providing number portability in any lawful manner consistent with their obligations under the Communications Act.”).

would be comprised in the context of opening the wireline local exchange network to competitors.³⁴

ASCENT urges the Commission here to view the facilities-based CMRS providers claims of impending doom with the same healthy dose of skepticism.

ASCENT also urges the Commission to revisit the record in CC Docket No. 95-116, with particular emphasis on the contentions by Personal Communications Service (“PCS”) providers that implementation of WSPLNP by CMRS providers was eminently doable, and the Commission’s assessment of this position:

³⁴ Implementation of the Local Competition Provisions in the Telecommunications Act of 1996 (First Report and Order), 11 FCC Rcd. 15499 (1996) (*subsequent history omitted*).

The PCS providers generally assert that CMRS providers will face technical burdens comparable to wireline carriers in updating their networks, and argue that there is no reason to treat CMRS providers differently from wireline carriers. Some CMRS parties indicate that it is technically possible to update cellular and PCS networks to accommodate long-term number portability. PCIA acknowledges that implementation of number portability by CMRS providers presents technical difficulties specific to CMRS, but argues that such difficulties can be overcome.³⁵

The Commission's assessment was that any technical issues unique to the wireless industry could be resolved:

While a number of parties have raised CMRS-specific issues that must be resolved before CMRS carriers can effectively provide number portability, we conclude that the record demonstrates that none of these difficulties are insurmountable.³⁶

And while the Commission twice afforded facilities-based CMRS providers additional time to implement WSPLNP on "technical grounds," those grounds dealt primarily with the separation of the Mobile Directory Number ("MDN") from the Mobile Identification Number ("MIN"), a network modification associated with both number pooling and WSPLNP.³⁷

³⁵ Telephone Number Portability (First Report and Order), 11 FCC Rcd. 8352 at ¶ 148.

³⁶ Id. at ¶ 162.

³⁷ Cellular Telecommunications Industry Association's Petition for Forbearance from Commercial Mobile Radio Services Number Portability Obligations (Memorandum Opinion and Order), 14 FCC Rcd.3092 at ¶¶ 27 - 28.

Tellingly, the large majority of the network reliability issues now trumpeted by Verizon and other facilities-based CMRS providers are no more true today than they would have been if raised one, two or three years ago. These issues go to the feasibility of implementing WSPLNP and operating in a WSPLNP environment, matters which were settled several years ago,³⁸ or they involve potential problems inherent in the rollout of any new system -- e.g., the adequacy of testing and scaling -- or they are directed to the underlying porting architecture currently serving the wireline industry. Complaints of this nature are all the more suspect because they have all the attributes of a “kitchen sink” assault in which every theoretical concern is elevated to a actual network threatening problem. Of course, the party charged with wireless number pooling and WSPLNP, NeuStar, has advised the Commission that it does “not anticipate specific concerns associated with the simultaneous implementation of wireless portability and pooling.”³⁹

Two additional contentions of the facilities-based CMRS providers remain to be addressed -- that WSPLNP is not a number conservation tool, and that consumers do not desire to retain their numbers when they change carriers. As to the former, it is indisputable that wireless numbers which cannot be ported must be withdraw from service for some period of time, generally upwards to 90 days. Accordingly, WSPLPN, as various state regulatory commenters have noted, helps to conserve numbering resources by minimizing the volume of numbers in such status.⁴⁰

³⁸ Telephone Number Portability (First Report and Order), 11 FCC Rcd. 8352 at ¶¶ 162 - 68.

³⁹ Letter from Mindy J. Ginsburg, Director, Government Affairs, NeuStar, to Magalie Roman Salas, Secretary, Federal Communications Commission, submitted in WT Docket No. 01-184 on October ss, 2001.

⁴⁰ See, e.g., Comments of NARUC at 2 - 3; Comments of Ohio at 4; Comments of Texas at 2 - 3.

The suggestion that consumers do not desire to retain their wireless numbers when they change wireless providers is counter intuitive. If given the choice, no consumer is going to opt for giving up his or her number rather than retaining it, when effecting a carrier change. Moreover, the record contains ample evidence of consumer preference for wireless number retention. Data included in ASCENT's Opposition to Verizon's Petition revealed that when queried by an impartial observer, consumers in Hong Kong, particularly business consumers, overwhelmingly endorsed wireless number portability.⁴¹ These findings were supported by data submitted by other commenters. Thus, for example, New Hampshire reports that in a recent poll of wireless users in Australia, 73 percent indicated that LNP would be "of great interest."⁴²

By reason of the foregoing, the Association of Communications Enterprises again strongly urges the Commission to deny as contrary to the public interest the relief sought here by Verizon Wireless from the obligation of CMRS providers to support wireless service provider number portability.

Respectfully submitted,

**ASSOCIATION OF COMMUNICATIONS
ENTERPRISES**

⁴¹ As detailed by ASCENT, a survey of wireless subscribers undertaken as part of a wireless number portability feasibility study and cost/benefit analysis undertaken on behalf of the Hong Kong Office of Telecommunications Authority found that by far and away the greatest identified constraint against switching wireless service providers was the need to change wireless phone numbers. Among personal subscribers, 59 percent cited the inability to retain the same number as an impediment to carrier changes, while among business users 64 percent and 84 percent, respectively, of small business and large business users identified the need to change wireless phone numbers as an impediment to changing carriers. Feasibility Study and Cost Benefit Analysis of Number Portability for Mobile Services in Hong Kong conducted by National Economic Research Associates for the Hong Kong Office of Telecommunications Authority at Appendix D, pp. 136, 141.

⁴² Comments of New Hampshire at 9.

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October 22, 2001

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CERTIFICATE OF SERVICE

I, Charles C. Hunter, do hereby certify that a true and correct copy of the foregoing document has been served by the United States First Class Mail, postage prepaid, on the individuals listed below, on this 22nd day of October 2001.

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